

Agricultural Marketing Service, USDA

§ 51.886

shall have the minimum diameters indicated for varieties as follows:

(i) Thompson Seedless, Perlette, Delight, Beauty Seedless, Sugraone, Flame Seedless and other seedless varieties nine-sixteenths of an inch.

(ii) Other varieties ten-sixteenths of an inch.

(2) For clusters/bunches: In this grade grapes shall consist of at least a two berry cluster ranging to clusters and/or bunches of grapes not greater than five ounces in weight. See Section 51.913.

(i) For tolerances see Section 51.886.

[61 FR 11126, Mar. 19, 1996, as amended at 64 FR 14576, Mar. 26, 1999]

TOLERANCES

§ 51.886 Tolerances.

(a) No tolerances are provided in these standards for grapes which fail to meet the applicable maturity requirements other than the allowances specified in § 51.888 or in the sampling and testing procedures of State maturity regulations.

(b) In order to allow for variations incident to proper grading and handling in each of the foregoing grades except U.S. No. 1 Institutional, tolerances, by weight, other than for maturity, are provided as set forth in Tables I and II.

TABLE I—TOLERANCES AT SHIPPING POINT ¹

[Percent]

Factor	U.S. Extra fancy table	U.S. Fancy table	U.S. No. 1 table
(A) For bunches failing to meet color requirements	10	10	10
(B) For bunches failing to meet requirements for minimum diameter of berries	10	10	10
(C) For bunches failing to meet stem color requirements	10		
(D) For offsize bunches and for bunches and berries failing to meet the remaining requirements for the grade	8	8	8
Including in (D):			
(a) For serious damage	2	2	2
And, including in (a):			
(i) For decay	½ of 1	½ of 1	½ of 1

¹ Shipping Point, as used in these standards, means the point of origin of the shipment in the producing area or at port of loading for ship stores or overseas shipment, or, in the case of shipments from outside the continental United States, the port of entry into the United States.

TABLE II—TOLERANCES EN ROUTE OR AT DESTINATION

(A) For bunches failing to meet color requirements	10	10	10
(B) For bunches failing to meet requirements for minimum diameter of berries	10	10	10
(C) For bunches failing to meet stem color requirements	10		
(D) For offsize bunches and for bunches and berries failing to meet the remaining requirements for the grade	12	12	12
Including in (D):			
(a) For permanent defects	8	8	8
(b) For serious damage	4	4	4
And, including in (b):			
(i) For serious damage by permanent defects	2	2	2
(ii) For decay	1	1	1

(c) In order to allow for variations incident to proper grading and handling in the U.S. No. 1 Institutional grade only, tolerances, by weight, other than for maturity, are provided as set forth in Tables Ia and IIa of this section.

TABLE IA—TOLERANCES AT SHIPPING POINT FOR U.S. NO. 1 INSTITUTIONAL GRADE ONLY ¹

[Percent]

Factor	U.S. No. 1 institutional
(A) For clusters/bunches failing to meet color requirements.	10.
(B) For clusters/bunches failing to meet requirements for minimum diameter of berries.	10.
(C) For offsize clusters/bunches	4.

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TABLE IA—TOLERANCES AT SHIPPING POINT FOR U.S. NO. 1 INSTITUTIONAL GRADE ONLY¹—Continued

[Percent]	
Factor	U.S. No. 1 institutional
(D) For clusters/bunches and berries failing to meet the remaining requirements for the grade.	8.
Including in (D):	
(a) For serious damage	2
And, including in (a):	
(i) For decay	½ of 1.

¹Shipping point, as used in these standards, means the point of origin of the shipment in the producing area or at port of loading for ship stores or overseas shipment, or, in the case of shipments from outside the continental United States, the port of entry into the United States.

TABLE IIA—TOLERANCES EN ROUTE OR AT DESTINATION FOR U.S. NO. 1 INSTITUTIONAL GRADE ONLY

Factor	U.S. No. 1 institutional
(A) For clusters/bunches failing to meet color requirements	10.
(B) For clusters/bunches failing to meet requirements for minimum diameter of berries	10.
(C) For offsize clusters/bunches	4.
(D) For clusters/bunches and berries failing to meet the remaining requirements for the grade ..	12.
Including in (D):	
(a) For permanent defects	8.
(b) For serious damage	4.
And, including in (b):	
(i) For serious damage by permanent defects	2.
(ii) For decay	1.

[36 FR 9126, May 20, 1971. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981, and amended at 52 FR 22437, June 12, 1987. Redesignated and amended at 56 FR 15802, Apr. 18, 1991; 61 FR 11127, Mar. 19, 1996]

APPLICATION OF TOLERANCES

§ 51.887 Application of tolerances.

The contents of the individual packages in any lot, based on sample inspection, are subject to the following limitations: *Provided*, That the averages for the entire lot are within the tolerances specified for the grade:

(a) For tolerances of 10 percent or more, individual packages may contain not more than one and one-half times the specified tolerance.

(b) For a tolerance of less than 10 percent, individual packages may con-

tain not more than double the specified tolerance.

[36 FR 9126, May 20, 1971. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981. Redesignated at 56 FR 15802, Apr. 18, 1991]

MATURITY REQUIREMENTS

§ 51.888 Maturity requirements.

(a) In the case of grapes grown in Arizona or California, “mature” means grapes in any lot shall meet the maturity requirements for the variety as set forth in the applicable State Agricultural Laws and Regulations referenced in this section. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from, in the case of Arizona maturity regulations, Arizona Department of Agriculture, Citrus, Fruit and Vegetable Standardization, 1688 W. Adams, Phoenix, AZ 85007 or in the case of California maturity regulations, California Department of Food and Agriculture, Fruit and Vegetable Quality Control, Standardization Section, 1220 N Street, P.O. Box 942871, Sacramento, California 94271-0001 or copies of both regulations may be inspected at USDA, AMS, F&VD, FPB, Standardization Section, Room 2065-S, 14th and Independence Avenue, Washington, DC 20250 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(1) Arizona maturity regulations are contained in Chapter 4—Plant Services Division, Article 7, Fruit And Vegetable Standardization, Section R3-4-733 Table Grape Standards, Effective January 6, 1994.

(2) California maturity regulations are contained in The California Code of Regulations, Title 3, Subchapter 4. Fresh Fruits, Nuts and Vegetables, Article 25, Table Grapes and Raisins, November 16, 1996.

(b) Grapes subject to U.S. import regulations shall meet the maturity requirements specified in such regulations.